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 23 UNITED STATES DISTRICT COURT
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 25 NORTHERN DISTRICT OF CALIFORNIA
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27 THROY OTANES,
 28

Plaintiff,

v.

29 HYATT REGENCY HOTEL
 30 (BURLINGAME), JIMMY FLORES,
 31 RON GRAY, TOM PHIPPS, JOSE
 32 REYES, and DOES ONE through FIFTY,
 33

Defendants.

Case No. CV 07 5936 MHP

34
 35 JOINT UPDATED CASE MANAGEMENT
 36 CONFERENCE STATEMENT AND
 37 ~~[PROPOSED]~~ ORDER
 38

39 Complaint Filed in State Court: May 15, 2007
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41 Pursuant to Civil Local Rule 16-10(d), the parties to the above-entitled action, defendants
 42 Hyatt Corporation dba Hyatt Regency San Francisco Airport, Jimmy Flores, Ron Gray, Tom
 43 Phipps and Jose Reyes (collectively "Defendants"), and plaintiff Throy Otanes ("Plaintiff"),
 44 jointly submit this Updated Case Management Statement and Proposed Order and request the
 45 Court to adopt it as its Case Management Order in this case.
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1 **I. Progress Since Last Case Management Conference**

2 Since the initial Case Management Conference in this matter on March 24, 2008, the
 3 parties completed the exchange of their initial disclosures and attended an Early Neutral
 4 Evaluation session with Eric P. Angstadt on May 6, 2008. Prior to the ENE session, the parties
 5 prepared written ENE Statements that were submitted to Mr. Angstadt on April 29, 2008.
 6 Although the parties agreed to conduct the session more as a mediation than an ENE, the matter
 7 ultimately did not settle. No further follow-up sessions were scheduled with Mr. Angstadt.

8 Plaintiff also prepared a Proposed Stipulated Order to dismiss Plaintiff's breach of
 9 contract and breach of the covenant of good faith and fair dealing causes of action from the
 10 Complaint, which Plaintiff will file with the Court.

11 **II. Scheduling**

12 In the Joint Case Management Statement filed by the parties on March 3, 2008, a tentative
 13 set of scheduling deadlines was proposed. The parties have met and conferred regarding a
 14 revised timeline and accordingly propose the following scheduling deadlines:

A1. Disclosure of witnesses (non-expert, case-in-chief)	October 14, 2008
A. <u>Non-Expert Discovery Cut-off:</u>	<u>November 14, 2008</u>
B. <u>Designation of Experts:</u>	<u>December 1, 2008</u>
(Parties shall conform to Fed.R.Civ.P. 26(a)(2))	
C. <u>Expert Discovery Cut-off:</u>	<u>December 30, 2008</u>
D. <u>Dispositive Motions (Last Day for Hearing):</u>	<u>February 13, 2009</u>
E. <u>Pre-Trial Conference:</u>	<u>April 15, 2009</u> @ 2:30 p.m.
F. <u>Trial:</u>	<u>April 21, 2009</u> @ 8:30 a.m.

1 Dated: June 2, 2008

2 FOLGER LEVIN & KAHN LLP

3 */s/ Lisa M. van Krieken*

4 Lisa M. van Krieken

5 Attorneys for Defendants Hyatt Corporation dba Hyatt
Regency San Francisco Airport, Jimmy Flores, Ron
Gray, Tom Phipps and Jose Reyes

6 Dated: June 2, 2008

7 M.G. TEODORO LAW

8 */s/ May Antoinette G. Teodoro
(as authorized 05/30/08)*

9 May Antoinette G. Teodoro
10 Attorney for Plaintiff Throy Otanes

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PROPOSED ORDER

The court finds that each party was represented by lead trial counsel responsible for trial of this matter and was given an opportunity to be heard as to all matters encompassed by this Case Management Statement and Proposed Order filed prior to this conference.

The foregoing joint statement is adopted by this court as the Case Management Order in this action in accordance with Civ. L.R. 16 and other applicable Local Rules, and shall govern all further proceedings in this action.

IT IS SO ORDERED.

Dated: 6/9/2008

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